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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	CHARLES D. RIEL,	No. 2:01-cv-0507 MCE DB
12	Petitioner,	DEATH PENALTY CASE
13	v.	
14	WARDEN, San Quentin State Prison,	<u>ORDER</u>
15	Respondent.	
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17	The parties have filed a joint request to amend the scheduling order in light of the	
18	COVID-19 virus. (ECF No. 596.) The parties seek to vacate the April 24, 2020 deadline for	
19	conducting lay witness depositions. The parties have also agreed that in the event any of the	
20	following lay witnesses: Lael Richards, Jeffrey Richards, Joseph Ross, Shannon Rivera, Tom	
21	Riel, or Lori Prestley (aka Barnhardt), become unavailable within the meaning of Federal Rule of	
22	Evidence 804(a)(4) that witnesses declaration may be admitted in lieu of oral testimony.	
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1	Good cause appearing, IT IS HEREBY ORDERED that:	
2	1. The April 24, 2020 deadline for completing lay witness testimonial depositions is	
3	vacated; and	
4	2. The parties shall meet and confer prior to the status hearing presently scheduled for	
5	May 8, 2020 to find mutually agreeable dates to re-schedule the depositions.	
6	Dated: March 25, 2020	
7	/s/ DEBORAH BARNES UNITED STATES MAGISTRATE JUDGE	
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17	DB/orders-capital/riel.vac depo	
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